

BERGDOLL DENIES MOTHER AIDED HIM

Deserter, Witness at Conspiring Trial, Says She Counted Surrender.

DEFENCE CLOSES CASE

Court Told by Draft Dodger He Watched U. S. Agents Searching His Home.

Special to THE SUN AND NEW YORK HERALD
PHILADELPHIA, Sept. 24.—Erwin Rudolph Bergdoll, draft dodger and deserter from the United States Army, was called today as the star witness for the defense in the conspiracy trial in the United States District Court in which his mother, Mrs. Emma C. Bergdoll, is the chief of five defendants.

After Erwin had given his testimony, in which he denied that any of the defendants had aided or abetted him in draft dodging or desertion from the army, character witnesses were called. Then the defense rested its case.

Charles D. McAvoy, United States Attorney, called several witnesses in rebuttal. Among these were character witnesses for Thomas E. Furey, a Baltimore automobile dealer, who had testified to the activities of the defendants in aiding Erwin and his slacker brother, Grover Bergdoll. Mr. McAvoy brought witnesses most of them former employers of Furey, who testified that

they had always known Furey to be truthful and honest.

Bergdoll was emphatic in his denial that his mother had done anything to help him. He admitted under questioning that from the time exemption was refused he had made up his mind not to serve. He said his mother and Braun and Roering had urged him repeatedly to surrender.

SAW OWN HOME SEARCHED.

Bergdoll detailed his skipping here and there through the country while he was being sought by the Government agents, but he developed a bad memory as to hotels at which he stopped and the names of towns visited on various dates.

The witness said Braun had accompanied Grover and himself on a hunting trip to Elkins, W. Va., but the trip was the result of an accidental meeting. Braun being on his way to Oxford, Pa. He denied absolutely the story that Braun had brought an automobile to him at a stone quarry near his home.

Bergdoll said that on January 7, the day upon which Grover was captured, he watched Government agents search his own place at Broomall. Erwin said that he had been sleeping in a barn for several days, and had been captured because he was carrying the last few days.

Landlords are complaining bitterly that these new laws are socialistic, tending in effect to destroy private ownership of property and making the courts the receivers of all real estate to the Housing Committee.

The Mayor's bus bill, under which city funds could be used in establishing municipal omnibus routes, also passed the Senate and was voted to-night in the Assembly.

The Legislature killed the bill allowing the Comptroller to issue short term notes before the end of the current fiscal year.

The only other bill of any consequence passed by the Legislature is the compromise telephone measure. As finally amended it gives the Public Service Commission the power to suspend all future increased rates pending an investigation. For the last three increases, which are now being investigated, the company is required to give a bond guaranteeing rebates to the subscribers in case of an adverse decision by the commission. As originally introduced the rates now under investigation could be suspended.

The session adjourned at 9 o'clock.

PROFITEER APPEAL FILED.

WASHINGTON, Sept. 24.—Appeals were filed to-day in the Supreme Court by Weid Incorporated, a retail business concern in Bladensburg, Md., and Gordon H. Smith, its general manager, from conviction returned in the Federal Court on charges of profiteering in wearing apparel in violation of the Lever food control act. The defendants, who were fined \$1,000, alleged the act is unconstitutional.

DAYLIGHT SAVING EXTENDED.

WASHINGTON, Sept. 24.—The Government has decided to extend the operation of summer, or daylight saving, time until October 25, it was announced to-day.

Reputations for truthfulness of Fitzhugh L. Creedon and Thomas E. Furey, two of the Government's star witnesses, were again assailed this morning at the resumption of the trial. One of the bulk-wits of the defense is an attempt to discredit Furey and Creedon. Both were freed from jail yesterday.

Creedon is the witness who testified that on January 7 last Erwin was at Charles Braun's house in Broomall, Pa., when Grover was found hiding in a window seat in his mother's Wynnewood avenue home, and that he rushed

down to Baltimore with Erwin to evade the Federal authorities.

Furey, known as the "mystery man" in the case, disclosed a plot arranged by Grover Bergdoll while he was confined in Governor's Island, to escape in a motorboat, and also declared that in April last he accompanied Erwin on a trip from Baltimore to Braun's house at Broomall, Pa.

Frank Johnson, a chauffeur, said he was at Mr. Braun's house on January 22 last when Furey displayed a letter dated February 1, purporting to have been written by Grover Bergdoll in prison. Johnson said he was permitted to read the letter, which began: "Dear Tom," and said: "I have got everything fixed on the inside. Get a motor boat and have it outside the fort next Wednesday night."

Johnson said the letter contained some further directions as to how Grover planned to escape, but Mr. Braun at once said he would have nothing to do with the master and forced Furey to go with another. Furey and his mother then abandoned such a foolish idea.

Under cross-examination Johnson admitted that although he was in the army himself, having enlisted at Fort Meade in December, 1917, and being discharged last year at Camp Bragg, he never gave information that Grover Bergdoll, a military prisoner, was planning to go ahead with their projects.

The Lockwood committee is empowered under a resolution adopted in both houses to begin forthwith an investigation of the whole building material and mortgage situation in this State. The resolution adopted says that the committee has information "that unlawful combinations exist in connection with the building of buildings." It is a result of which it is impossible for honest builders to go ahead with their projects.

The committee receives full State powers to sit as an investigating body with authority to subpoena witnesses, books and records. Senator Lockwood announced to-night that the committee would meet in the next few days in the City Hall in New York and start probing immediately. The Legislature in

LEGISLATURE BARS EVICTIONS ON OCT. 1

Continued from First Page.

amending dispossess and municipal court laws to comply with the new statute. So that the landlord will not have a loophole to escape the wisdom of the new law.

The whole effectiveness of this new law now rests on the wisdom of the Municipal Court Justices who have been critical of the new law during the last few days. Landlords are complaining bitterly that these new laws are socialistic, tending in effect to destroy private ownership of property and making the courts the receivers of all real estate to the Housing Committee.

The Mayor's bus bill, under which city

structs the committee to find out if the assertion of the banking and insurance interests is true that they have put in real estate all the money they can afford.

HYLAN'S PLANS ARE DEFEATED.

Mayor Hylan's housing programme was defeated. His most important measure was defeated. His plan to establish the Slaking Fund Commission to establish a trust fund through which public funds could be lent to the mortgage market and provided for the creation of a new department with several good positions to supervise this work. The bills passed the Senate by a vote of 25 to 22, to the astonishment of the Mayor's friends, who were still here boasting the measures and who thought they had no chance. Then they went to defeat in the Assembly after Speaker Sweet had left his rostrum and from the floor charged that the Mayor was trying to get into God's favor in presenting these measures to the Housing Committee.

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NEW DRY DEPARTMENT.

WASHINGTON, Sept. 24.—Establishment of a new supervising agent's department, consisting of the States of Arizona, New Mexico and Texas, was announced by the Bureau of Internal Revenue.

COMMUNITY CHURCH.

The Community Church of N. Y.

Services Resumed To-morrow.

10 A. M.—INTERCESSION.

12:30 P. M.—WORSHIP.

"THE COLLAPSE OF THE CHURCH; CAN RELIGION BE SAVED?"

(Forum Opens October 3.)

CONGREGATIONAL.

BROADWAY TABERNACLE

BROADWAY AND 50TH STREET

The Pastor, DR. JEFFERSON,

will preach at 11 A. M. and 8 P. M.

Wednesday, 8 P. M., Midweek Services.

MANHATTAN CHURCH

BROADWAY AND 57TH ST.

11—Rev. WM. Walker Rockwell, Ph. D.

CHRISTIAN SCIENCE.

Services are held in the following

CHRISTIAN SCIENCE CHURCHES

Branches of the Mother Church.

Sunday, 11 A. M. and 8 P. M.

Wednesday, 8 P. M.

First Church—Central Park West & 56th St.

Second Church—Central Park West & 57th St.

Third Church—5th Avenue & 57th Street.

Fourth—17th St. & Ft. Washington Av.

5th—5th Avenue & 55th St.

5th Church—Aeolian Hall, 34 W. 43d St.

6th Church—1855 Anthony Av., Bronx.

7th Church—121st Street, east of Broadway.

8th Church—163 West 77th St.

10th Church—25th Street, 11 A. M.

11th Church—Anderson Galleries, Park

Ave. and 56th St.

Christian Science Society—547 W. 146th St.

Sundays, 11 A. M.—Wednesday, 8 P. M.

21st CHURCH, 200 W. 23d St.

22nd CHURCH, 17th St. & Broadway.

23rd CHURCH, 17th St. & Broadway.

24th CHURCH, 17th St. & Broadway.

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